

PHILLIP A. TALBERT
United States Attorney
STEPHANIE M. STOKMAN
ALYSON A. BERG
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,

v.

WESLEY TSUKAMOTO,
Defendant.

CASE NO. 1:21-CR-00115-ADA-BAM
PRELIMINARY ORDER OF FORFEITURE

Based upon the guilty plea entered by defendant Wesley Tsukamoto and the Stipulation and Application for a Preliminary Order of Forfeiture, it is hereby ORDERED, ADJUDGED and DECREED:

1. Pursuant to 21 U.S.C. § 853(a) defendant Wesley Tsukamoto's interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

- a. \$25,100.00 of the net proceeds from the interlocutory sale of the seized 2016 Lexus IS Sedan, VIN: JTHBE1D24G5027497, California license plate number 8JXC597, including all accrued interest on the entire net sale proceeds amount.

2. The above-listed asset was used, or intended to be used, in any manner or part to commit or to facilitate the commission of a violation of 21 U.S.C. § 841(a)(1).

1 3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be
2 authorized to seize the above-listed property. The aforementioned property shall be seized
3 and held by the United States Marshals Service in its secure custody and control.

4 4. a. Pursuant to 21 U.S.C. § 853(n) and Local Rule 171, the United States
5 shall publish notice of the order of forfeiture. Notice of this Order and notice of the Attorney
6 General's (or a designee's) intent to dispose of the property in such manner as the Attorney
7 General may direct shall be posted for at least thirty (30) consecutive days on the official
8 internet government forfeiture site www.forfeiture.gov. The United States may also, to the
9 extent practicable, provide direct written notice to any person known to have alleged an
10 interest in the property that is the subject of the order of forfeiture as a substitute for published
11 notice as to those persons so notified.


12 b. This notice shall state that any person, other than the defendant, asserting a
13 legal interest in the above-listed property, must file a petition with the Court within sixty (60)
14 days from the first day of publication of the Notice of Forfeiture posted on the official
15 government forfeiture site, or within thirty (30) days from receipt of direct written notice,
16 whichever is earlier.

17 5. If a petition is timely filed, upon adjudication of all third-party interests, if any,
18 this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(a) in which all
19 interests will be addressed.

20 6. Upon entry of a Final Order of Forfeiture, but no later than 60 days thereafter,
21 \$2,000.00 of the net proceeds from the interlocutory sale of the 2016 Lexus IS Sedan, VIN:
22 JTHBE1D24G5027497, California license plate number 8JXC597 shall be returned to
23 defendant through his attorney of record, John F. Garland.

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26 IT IS SO ORDERED.

27 Dated: September 12, 2023

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UNITED STATES DISTRICT JUDGE

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